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3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA
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6 DAVID JONATHAN THOMAS,

7 Plaintiff,

8 vs.

9 JAMES COX, *et al.*,

10 Defendants.
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Case No.: 3:13-CV-00508-RCJ-CBC

ORDER ADOPTING AND ACCEPTING
REPORT AND RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE
(ECF NO. 147)

13 Before the Court is the Report and Recommendation of United States Magistrate
14 Judge Carla Baldwin Carry (ECF No. 147¹) entered on May 3, 2019, recommending that
15 the Court grant and deny in part Defendants' Motion for Summary Judgment (ECF No.
16 137). On May 13, 2019, the Plaintiff filed his Objections to Magistrate Judge's Report
17 and Recommendation (ECF No. 148); on May 31, 2019, Defendants filed Partial
18 Objections to Magistrate Judge' Report (ECF No. 160)I and on June 6, 2019, Plaintiff
19 filed his Objections to Defendants' Partial Objections to Magistrate Judge Report (ECF
20 No. 161).
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23 This action was referred to Magistrate Judge Carry under 28 U.S.C. §
24 636(b)(1)(B) and Local Rule IB 1-4 of the Rules of Practice of the United States District
25 Court for the District of Nevada.
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¹ Refers to Court's docket number.

1 The Court has conducted its *de novo* review in this case, has fully considered the
2 pleadings and memoranda of the parties including the parties' objections to the Report
3 and Recommendation and other relevant matters to 28 U.S.C. § 636(b)(1)(B) and Local
4 Rule IB 3-2.

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6 IT IS HEREBY ORDERED that United States Magistrate Judge Carry's Report
7 and Recommendation (ECF No. 147), shall be ADOPTED and ACCEPTED.

8 IT IS FURTHER ORDERED that Defendants' Motion for Summary Judgment
9 (ECF No. 137) is GRANTED IN PART and DENIED IN PART.
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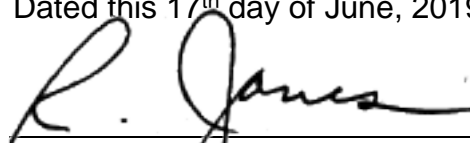
11 IT IS FURTHER ORDERED that Defendants' Motion for Summary Judgment as
12 to Counts II and III are GRANTED.

13 IT IS FURTHER ORDERED that Defendants' Motion for Summary Judgment as
14 to Count I is DENIED.
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16 IT IS FURTHER ORDERED that the Clerk of the Court shall enter judgment
17 accordingly.

18 IT IS SO ORDERED.

19 Dated this 17th day of June, 2019.

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22 ROBERT C. JONES
23 Senior District Judge
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